



EUROPEAN COMMISSION

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Mr Samuel Stolton  
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International Press Centre  
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Belgium

**DECISION OF THE EUROPEAN COMMISSION PURSUANT TO ARTICLE 4 OF THE IMPLEMENTING  
RULES TO REGULATION (EC) No 1049/2001<sup>1</sup>**

**Subject: Your confirmatory application for access to documents – GESTDEM 2020/2706**

Dear Mr Stolton,

I am writing in reference to your email of 8 June 2020, registered on the same day, by which you lodge a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>2</sup> (hereafter ‘Regulation (EC) No 1049/2001’).

In your initial application of 10 May 2020 addressed to the Secretariat-General of the European Commission, you requested access to:

- ‘Detailed minutes of the meeting held on January 22nd 2020 between Commission President von der Leyen and the CEO of Palantir Technologies Inc in Davos.
- All documentation (including but not limited to: email correspondence, attendance lists, agendas, background papers, and additional notes) related to the above meeting, as well as any correspondence exchanged subsequent to the meeting between the two parties, up to the current date of 10 May 2020.’

In its initial reply of 8 June 2020, the Directorate for Single Market and Connectivity of the Secretariat-General of the European Commission informed you that it was not able to identify any documents as falling within the scope of your request.

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<sup>1</sup> OJ L 345, 29.12.2001, p. 94.

<sup>2</sup> OJ L145, 31.05.2001, p. 43.

In your confirmatory application, you question the absence of any documents. You consider the fact that the Commission holds no documents in relation to this meeting whatsoever hard to believe.

Against this background, the European Commission has carried out a renewed, thorough search for the documents you requested. Following this renewed search, I confirm that the Commission does not hold any further documents that would correspond to the description given in your application.

Indeed, as specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Chance encounters in Davos are for the most part informal discussions and do not lead to written read-outs. The particular meeting to which you are referring was in a fact a chance 'pull-aside' in a Davos corridor (the President and the CEO of Palantir are acquaintances), as is a frequent occurrence there. The Commission registered the fact that they had met, only for transparency purposes, but there are no documents related to this meeting.

Given that the European Commission does not hold any documents corresponding to your application, it is not in a position to fulfil your request.

Finally, I draw your attention to the means of redress available against this decision. You may either bring proceedings before the General Court or file a complaint with the European Ombudsman under the conditions specified respectively in Articles 263 and 228 of the Treaty on the Functioning of the European Union.

Yours sincerely,



*For the Commission*  
*Ilze JUHANSONE*  
*Secretary-General*